



General Assembly

**Substitute Bill No. 126**

February Session, 2004

\* SB00126GAE\_\_031604\_\_ \*

**AN ACT PROVIDING NOTICE OF FREEDOM OF INFORMATION  
RELATED LITIGATION TO THE FREEDOM OF INFORMATION  
COMMISSION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) In any action involving  
2 the assertion that a provision of the Freedom of Information Act has  
3 been violated or constitutes a defense, the court to which such action is  
4 brought shall make an order requiring the party asserting such  
5 violation or defense, as applicable, to provide the Freedom of  
6 Information Commission with notice of the action and a copy of the  
7 complaint and all pleadings in the action by first-class mail or personal  
8 service to the address of the commission's office.

9 (b) Upon the filing of a verified pleading by the commission, the  
10 court to which an action described in subsection (a) of this section is  
11 brought shall grant the commission's motion to intervene in the action  
12 for purposes of participating in any issue involving a provision of the  
13 Freedom of Information Act.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

***Statement of Legislative Commissioners:***

In subsection (a) of section 1, "in person delivery at" was changed to "personal service to the address of" for consistency with existing statutory provisions.

***GAE***      *Joint Favorable Subst.-LCO*